

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

P.S. - Disciplinary proceedings against Sri D.B.Subba Rao, the then Commandant, 4th Bn, APSP., Warangal (now retired) - **Charges held Proved** - Penalty of withholding of 10% cut in pension for a period of two years - Orders - Issued.

HOME (SERVICES-I) DEPARTMENT

G.O.Ms.No.241

Dated: 23/10/2013

Read the following:-

Ref: 1) From the Director General of Police, A.P., Hyderabad, Letter Rc.No.30/SC.A/1999, dated 04.11.1999
2) Govt.Memo.No.44811/Pol.E/A2/1999-3, dt 28.09.2000
3) From Sri D.B.Subba Rao, the then Commandant, 4th Bn, APSP., Warangal (now retired) written statement of defence dt 31.05.01
4) G.O.Rt.No.219, Home (Ser.I) Deptt., dated 28.02.2003
5) G.O.Rt.No.776, Home (Ser.I) Deptt dt 16.06.2003
6) G.O.Rt.No.576, Home (Ser.I) Deptt., dated 03.04.2012
7) From, Sri K.Sahadeva Reddy, Commissioner of Inquiries D.O.Lr.No.113/COI.KSR/2012, dt 14.11.2012
8) Govt.Memo.No.44811/Ser.I/A2/1999, dated 28.12.2012
9) From Sri D.B.Subba Rao, the then Commandant, 4th Bn, APSP., Warangal (now retd) written statement of defence Dated: 28.02.13
10) Lr.No.44811/Ser.I/A2/1999, dated 18.06.2013
11) From, the Secy, APPSC, Lr.No.1461/RT/3/2013, dated 03.07.2013.

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ORDER :

In the reference 1st read above, the Director General of Police, A.P., Hyderabad, has requested the Government to initiate disciplinary proceedings against Sri D.B.Subba Rao, the then Commandant, 4th Bn, APSP., Warangal (now retired), for the reasons mentioned therein.

2. After careful examination of the entire matter, Government have decided to initiate disciplinary proceedings against the said Sri D.B.Subba Rao, the then Commandant, 4th Bn, APSP., Warangal (now retired) and accordingly, a charge Memorandum, under rule-20 of APCS (CC&A) Rules, 1991, was issued against the said charged officer, for the following delinquency vide reference 2nd read above:-

- 1) **Article:-I** That he exhibited gross criminal misconduct and corrupt practices by transporting and taking away the teak wood from ole lines of 4th Bn and furniture made of teak and need wood, one 7.5 H.P. Motor, Big iron gate, cement, sand, Metal in the Unit Vehicles to Hyderabad in six loads (six times)
- 2) **Article:-II** That he exhibited gross misconduct in misusing the manpower by escorting six times, the illicit transportation of teak wood, furniture and other materials from the unit lines to Hyderabad
- 3) **Article:-III**, That he misused manpower by sending Unit Carpenters, Electricians and other personnel etc, for the construction of shed in the

residential premises of late Sri Kalyana Rao, IPS, IGP (Retired), brother-in-law of the Sri D.B.Subba Rao, Commandant, 4th Bn, APSP

- 4) **Article:-IV**, That he exhibited gross criminal misconduct in misappropriation of Government funds by diverting the M.T. funds to the tune of Rs.58,723/-
- 5) **Article:-V**, that he exhibited gross criminal misconduct by indulging into the corrupt activities by way of collection of huge amounts for the selection of stipendary PCs in 4th Bn, APSP, Warangal held during 1988.
- 6) **Article:-VI**, that he exhibited gross criminal misconduct by indulging into the corrupt activities by fixing up the rates for the release of police personnel from suspension and taking them to duty from desertions.
- 7) **Article:-VII**, That he exhibited criminal misconduct by indulging into corrupt activities in collecting money for transfer of police personnel to Head Quarters Q.M/B.W.O., groups.
- 8) **Article:-VIII**, That he exhibited criminal misconduct by indulging into corrupt activities in collecting money for Company Inspection.
- 9) **Article:-IX**, That he exhibited gross criminal misconduct by indulging into the corrupt activities by collecting huge amounts from M.T. personnel on the plea to obtain G.O., for enhancement of Special Pay.

3. In the reference 3rd read above, the Charged Officer has submitted his written statement of defense, denying the charges framed against him. As he denied the charges, Sri D.Ramaiah, IAS (Retired) Member of COI, GAD, as an inquiring authority, to conduct Oral Enquiry against the charged officer, vide reference 4th read above and Sri A.B.Venkateswara Rao, IPS, D.I.G., Intt, (R&D) Hyderabad was appointed as presenting officer vide reference 5th read above. Orders were also issued from time to time, changing the Inquiry Authorities, since the term of the Inquiry Authority was expired or otherwise, for the reasons mentioned therein. Finally, Sri Sri Sahadeva Reddy, (COI.KSR), has been appointed as inquiry authority, to enquire into the charges framed against Sri D.B.Subba Rao, (f) Commandant, 4th Bn, APSP, Warangal now retired, vide reference 6th read above, duly appointing Sri S.Srinivasa Rao, Advocate was continued as Presenting Officer, to present the case, on behalf of the Disciplinary Authority.

4. In the reference 7th read above, Sri K.Sahadeva Reddy, COI, who was appointed as Inquiry Authority, has submitted his inquiry report holding the **holding the charges, I, II, III, IV, VI, VII, VIII, and IX are proved and the charge-V is not proved**, against the Charged Officer.

5. The Government while accepting the findings of the Inquiry Authority and based on the records made available, have provisionally decided to impose the penalty of **withholding of 100% cut in pension permanently**, on Sri D.B.Subba Rao, (f) Commandant, 4th Bn, APSP, Warangal now retired, under Rule (9) of A.P. Revised Pension Rules, 1980 and accordingly, a copy of Inquiry Report was again communicated to the charged officer with a direction to show cause as to why the punishment referred above should not be imposed on him for the charges held "proved" against him in the enquiry vide reference 8th read above.

6. In the reference 9th read above, the charged officer has submitted his explanation to the show cause notice and requested the Government to drop further action, for the reasons mentioned therein.

7. Government, after careful examination of the matter, with reference to the records made available, have decided to impose the penalty of **withholding of 10% cut in pension for a period of two years**, on Sri D.B.Subba Rao, (f) Commandant, 4th Bn, APSP, Warangal now retired, keeping in view of the explanation of the charged officer.

8. The Secretary, Andhra Pradesh Public Service Commission, in her letter 11th read above, advised the Deptt., to impose the punishment of 20% cut in pension permanently against the charged officer.

9. Government after careful examination of the entire matter hereby impose the penalty of **withholding of 10% pension for a period of two years** on Sri D.B.Subba Rao, (f) Commandant, 4th Bn, APSP, Warangal now retired, under Rule-9 (1) of A.P. Revised Pension Rules, 1980, read with rule 20 of APCS (CC&A) Rules, 1991.

10. A copy of the letter 11th read above received from the Secretary, Andhra Pradesh Public Service Commission, is herewith furnished to Sri D.B.Subba Rao, (f) Commandant, 4th Bn, APSP, Warangal now retired, as required under Rule-44 of APCS (CC&A) Rules, 1991.

11. The Director General of Police, A.P., Hyderabad, is requested to take follow up action on implementation of the said penalty.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**T.P.DAS
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Director General of Police, A.P., Hyderabad.

Sri D.B.Subba Rao, (f) Commandant, 4th Bn, APSP, Warangal now retired,
through Director General of Police, A.P., Hyderabad (w.e).

Copy to:

P.S. to Prl., Secy to C.M.

The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.

The Accountant General of Andhra Pradesh, Hyderabad.

The Director of Treasuries & Accounts, A.P. Hyderabad.

SF/SC

// FORWARDED :: BY ORDER//

SECTION OFFICER